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**TITLE 326 AIR POLLUTION CONTROL DIVISION**

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**NOTICE OF READOPTION**  
**IC 13-14-9.5-1.1 NOTICE OF RULE REVIEW**  
LSA Document #14-191

This is a notice of rule review as described in [IC 13-14-9.5-1.1](#). Certain rules described in [IC 13-14-9.5-1.1](#) do not expire after seven years. These types of rules are: (1) rules required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; and (2) rules required to begin or continue receiving federal funding for implementation or operation of a program.

The Indiana Department of Environmental Management (IDEM) is required to publish a list of these rules that have been effective for seven years and request comment, in a 30 day comment period, on any specific rule that should be reviewed through the regular rulemaking process under [IC 13-14-9](#). IDEM must also notice a public hearing before the Environmental Rules Board (board). IDEM will respond to all comments received during the comment period and provide the comments and responses to the board during the public hearing. The board, after considering the comments, responses, and testimony at the hearing, will direct IDEM on whether additional rulemaking actions must be started to address concerns raised to the board.

**[IC 13-14-9-4\(a\)\(5\)](#) THROUGH [IC 13-14-9-4\(a\)\(7\)](#) IDENTIFICATION OF RESTRICTIONS AND REQUIREMENTS NOT IMPOSED UNDER FEDERAL LAW**

[IC 13-14-9.5-1.1](#) requires this notice to contain the information described under [IC 13-14-9-4\(a\)\(5\)](#) through [IC 13-14-9-4\(a\)\(7\)](#) regarding restrictions and requirements of the listed rules that are not imposed under federal law. The listed rules establish requirements to implement the Clean Air Act (CAA). The CAA authorizes comprehensive federal and state regulations to limit air pollution. These rules have been incorporated into Indiana's State Implementation Plan (SIP) and are federally enforceable. These rules are authorized under [IC 13-17-3-4](#).

**LIST OF RULES**

The following is a list of rules in 326 IAC that have been effective for seven years and are: (1) required to receive or maintain delegation, primacy, or approval for implementation or operation of a program established under federal law; or (2) required to begin or continue receiving federal funding for implementation or operation of a program:

|                                |  |
|--------------------------------|--|
| <a href="#">326 IAC 6-7-1</a>  | Southern Indiana Gas and Electric Company (SIGECO)                                 |
| <a href="#">326 IAC 6.5-2</a>  | Clark County   |
| <a href="#">326 IAC 6.5-3</a>  | Dearborn County  |
| <a href="#">326 IAC 6.5-4</a>  | Dubois County  |
| <a href="#">326 IAC 6.5-5</a>  | Howard County  |
| <a href="#">326 IAC 6.5-6</a>  | Marion County  |
| <a href="#">326 IAC 6.5-7</a>  | St. Joseph County  |
| <a href="#">326 IAC 6.5-8</a>  | Vanderburgh County   |
| <a href="#">326 IAC 6.5-9</a>  | Vigo County  |
| <a href="#">326 IAC 6.5-10</a> | Wayne County   |
| <a href="#">326 IAC 6.8-2</a>  | Lake County: PM <sub>10</sub> Emission Requirements                                |
| <a href="#">326 IAC 6.8-4</a>  | Lake County: Opacity Limits; Test Methods  |
| <a href="#">326 IAC 10-6</a>   | Nitrogen Oxides Emission Limitations for Southern Indiana Gas and Electric Company |

**REQUEST FOR PUBLIC COMMENTS**

At this time, IDEM solicits comments on specific rules listed above that should be reviewed through the regular rulemaking process under [IC 13-14-9](#). IDEM requests that specific changes and language suggestions accompany the comments. Comments may be submitted in one of the following ways:

- (1) By mail or common carrier to the following address:

LSA Document #14-191 2014 Title 326 Rule Review  
Susan Bem  
Rules Development Branch  
Office of Legal Counsel  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, IN 46204

- (2) By facsimile to (317) 233-5970. Please confirm the timely receipt of faxed comments by calling the Rules

Development Branch at (317) 233-8903.

(3) By electronic mail to sbem@idem.in.gov. To confirm timely delivery of submitted comments, please request a document receipt when sending the electronic mail. **PLEASE NOTE: Electronic mail comments will NOT be considered part of the official written comment period unless they are sent to the email address indicated in this notice.**

(4) Hand delivered to the receptionist on duty at the thirteenth floor reception desk, Office of Legal Counsel, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, Indiana.

Regardless of the delivery method used, in order to properly identify each comment with the rulemaking action it is intended to address, each comment document must clearly specify the LSA document number of the rulemaking.

#### **COMMENT PERIOD DEADLINE**

Comments must be postmarked, faxed, or time stamped not later than July 7, 2014. Hand-delivered comments must be delivered to the office by 4:45 p.m. on the above-listed deadline date.

Additional information regarding this action may be obtained from Susan Bem, Rules Development Branch, Office of Legal Counsel, (317) 233-5697 or (800) 451-6027 (in Indiana).

Nancy King, Chief  
Rules Development Branch  
Office of Legal Counsel

[Notice of Public Hearing](#)

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